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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,463	01/31/2001	Susan M. Janz	10003900-1	7071

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EXAMINER

CASIANO, ANGEL L

ART UNIT PAPER NUMBER

2182

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/773,463	Applicant(s) JANZ ET AL.	
	Examiner Angel L Casiano	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The present Office action is in response to communication dated 07 February 2005.
2. Claims 1-19 are pending. All claims have been examined accordingly.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 December 2004 (Amendment After Final) has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klebanov [US 6,397,327 B1] in view of Motoyama et al. [US 6,631,247 B1]

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Regarding claim 1, Klebanov teaches a method for modifying an index of fleet devices (see col. 2, lines 31-37; “registry”, “peripheral devices”). The prior art method teaches:

- (a) Discovering a modification action for the index (see “identified”; col. 2, line 35);
- (b) Discovering a fleet device for modification in the index (see col. 2, line 35); and,
- (c) Implementing the modification action in the index (see “modified”; col. 2, line 36).

As for step (d), Klebanov teaches *obtaining information relating to the device* and adding it to the index (registry file). However, this information is not disclosed as being “page processing usage data” or as “indicative of the number of pages processed by the device”, as claimed. Regarding this limitation, Motoyama et al. teaches obtaining page processing usage data from a device, more specifically information regarding the number of pages processed by the device (see col. 21, lines 28-32; Figure 25). One of ordinary skill in the art would have been motivated to combine the cited disclosures at the time of the invention in order to obtain “status messages” or “usage information” to an administrator or service center, as taught by Motoyama et al. Furthermore, the combination of references would have provided *summary information* to be generated and sent to a resource manager or administrator regularly (see teachings by Motoyama et al., col. 2, lines 26-30).

As for claim 2, Klebanov teaches removal of the fleet device from the index (see col. 2, line 37).

As for claim 3, Klebanov does not teach *capturing final page processing usage data* for the device, as claimed. Regarding this limitation, Motoyama et al. teaches obtaining final page

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processing usage data (see Fig. 5; col. 21, lines 29-32). In particular, the reference teaches “total” number of pages printed (processed) as well as the number of pages printed “since the last report” (see col. 21, lines 36-37). Therefore, the “final” usage data is represented by the reference by either quantity. At the time of the invention, one of ordinary skill in the art would have been motivated to combine the references for the reasons stated in the rejection of claim 1.

As for claim 4, Klebanov teaches removal of device from a registry (see col. 6, lines 61-62).

As for claim 5, Klebanov teaches addition of a fleet device to the index (see “registry”; Abstract).

As for claim 6, Klebanov teaches addition of the fleet device (see “identified”, col. 2, line 35). In addition, the reference teaches the use of a *unique identifier* for the devices (see column 1, line 34).

As for claim 7, the Klebanov reference creates a record (“includes information”; col. 6, lines 22-23) for the fleet device, after addition.

As per claim 8, Klebanov teaches collecting data for the fleet device (see col. 6, lines 34-36).

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Regarding claims 9-16, these are directed to the *system* for modifying an index of fleet devices. The cited combination of prior art teaches all the limitations corresponding to claims 1-2 and 4-8. These claims recite the method for modifying an index of fleet devices. Therefore, the prior art of record also teaches or suggests all the limitations corresponding to the *system* for *implementing* the method. Accordingly, claims 9-16 are rejected under the same rationale.

Regarding claim 17, Klebanov teaches the *instructions* to perform the method for modifying an index of fleet devices (see col. 2, lines 31-37; “registry”, “peripheral devices”). The prior art method discloses:

- (a) Discovering a modification action for the index (see “identified”; col. 2, line 35);
- (b) Discovering a fleet device for modification in the index (see col. 2, line 35); and,
- (c) Implementing the modification action in the index (see “modified”; col. 2, line 36).

As for step (d), Klebanov teaches *obtaining information relating to the device* and adding it to the index (registry file). However, this information is not disclosed as being “page processing usage data” or as “indicative of the number of pages processed by the device”, as claimed. Regarding this limitation, Motoyama et al. teaches obtaining page processing usage data from a device, more specifically information regarding the number of pages processed by the device (see col. 21, lines 28-32; Figure 25). One of ordinary skill in the art would have been motivated to combine the cited disclosures at the time of the invention for the reasons stated in the rejection of claim 1.

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As for claim 18, Klebanov teaches removal of the fleet device from the index (see col. 2, line 37).

As for claim 19, Klebanov teaches addition of a fleet device to the index (see “registry”; Abstract).

Response to Arguments

6. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

7. In particular, Examiner respectfully submits that the combination of references, Klebanov in view of Motoyama et al., teaches the claims as amended, by disclosing capturing *page processing usage data* for an index, indicative of the *number of pages processed* by the device.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Barrett et al. [US 6023727 A] teaches network members accessing verbose amounts of status information stored in the NEB, such as the number of print jobs, the number of pages per job, the number of pages per minute, the time per job, the number of total pages per day, and the number of jobs per day.

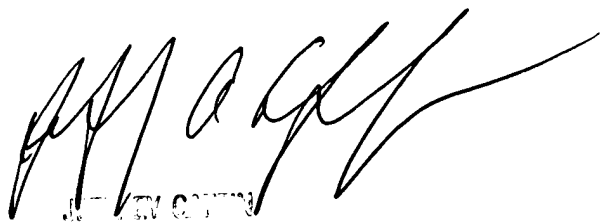
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc
02 March 2005



ANGEL L. CASIANO
EXAMINER
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